

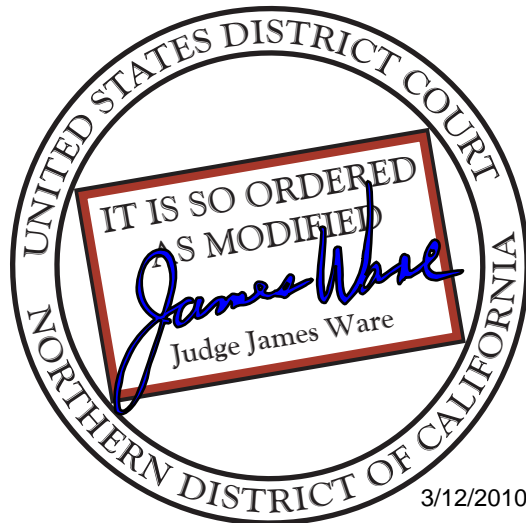
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-01119 JW
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE STATUS
v.)	HEARING AND TO EXCLUDE TIME
)	FROM APRIL 5, 2010 THROUGH MAY
NORMAN BUETOW,)	10, 2010, FROM THE SPEEDY TRIAL
)	ACT CALCULATION (18 U.S.C. §
)	3161(h)(7)(A),(B))
Defendant.)	

On February 11, 2010, the parties appeared for an initial appearance and arraignment in the above-cited case. At that time, the magistrate judge set the matter for a status hearing on April 5, 2010, to allow defense counsel a reasonable period of time to receive and review the ample discovery in this case. The parties stipulated to an exclusion of time under the Speedy Trial Act to allow counsel for defendant reasonable time for effective preparation. Substantial discovery has been provided to counsel. The government is in the process of providing more discovery to counsel. Counsel for all defendants in the case have agreed to request the Court to continue the hearing until **May 24, 2010**, to allow for full discovery to be provided and for an opportunity for counsel to review said discovery.

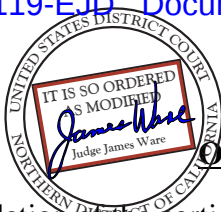
1 The United States hereby submits this written request for an order finding that said time
2 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served
3 by taking such action and outweigh the best interests of the public and defendant in a speedy
4 trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would
5 unreasonably deny counsel for defendant the reasonable time necessary for effective preparation,
6 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

7
8 DATED: March 9, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

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10 _____/s/_____
11 EUMI L. CHOI
Assistant United States Attorney

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13 _____/s/_____
14 PAUL B. MELTZER, ESQ.
Attorney for Defendant Norman Buetow

**ORDER**

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the time between April 5, 2010 through May 24, 2010, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served by taking such action and outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Further, the failure to grant such a continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: March 12, 2010



JAMES WARE
UNITED STATES DISTRICT COURT JUDGE